

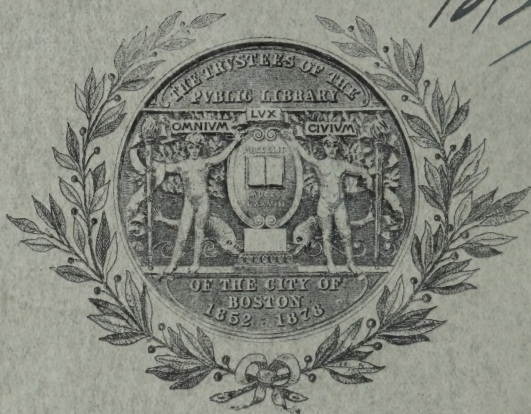




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Report of the Delegates  
of the United States of America

to the

Fifth International Conference  
of American States

Held at Santiago, Chile

March 25 to May 3, 1923



WASHINGTON  
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1923





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## REPORT OF THE DELEGATES OF THE UNITED STATES OF AMERICA TO THE FIFTH INTERNATIONAL CONFERENCE OF AMERICAN STATES.

HELD AT SANTIAGO, CHILE, MARCH 25 TO MAY 3, 1923.

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SIR: The undersigned, appointed by the President as delegates of the United States of America to the Fifth International Conference of American States, held at Santiago, Chile, from March 25 to May 3, 1923, inclusive, have the honor to submit the following report:

The delegation of the United States of America, the personnel of which will be found in Appendix 1 of this report, sailed from New York on the S. S. *Santa Teresa* on March 6, 1923, and arrived at Valparaiso March 24, 1923, proceeding to Santiago the same day.

On Sunday, March 25, at 3.30 p. m., the delegates to the conference assembled in the hall of honor of the Congress of Chile and were addressed by His Excellency Arturo Alessandri, President of Chile, a copy of whose address appears as Appendix 2<sup>1</sup> of this report. At the conclusion of this ceremonial session, the delegations were entertained at the Moneda Palace, the presidential residence, by President Alessandri.

A list of the delegations of the participating countries, which comprised all the American States with the exception of Bolivia, Mexico, and Peru, will be found in Appendix 3.

On Monday, March 26, 1923, at 3.30 p. m., the inaugural session of the conference was held in the hall of the Chamber of Deputies of Chile, His Excellency Luis Izquierdo, Minister of Foreign Affairs of Chile, presiding, to whose address of welcome appropriate reply was made on behalf of the assembled delegates by Dr. Montes de Oca, chairman of the delegation of the Argentine Republic.

Mr. Agustin Edwards, chairman of the Chilean delegation, was nominated as president of the conference by Mr. Buero, of Uruguay, seconded by Mr. Mello Franco, of Brazil, Mr. Fletcher, of the United States of America, and Mr. Rameau, of Haiti, and elected.

The president having assumed the chair, lots were cast in accordance with the provisions of clause 2 of Article II of the regulations establishing the precedence of the delegations as follows: (1) Venezuela, (2) Panama, (3) United States of America, (4) Uruguay, (5) Ecuador, (6) Chile, (7) Guatemala, (8) Nicaragua, (9) Costa Rica, (10) Brazil, (11) Salvador, (12) Colombia, (13) Cuba, (14) Paraguay, (15) Dominican Republic, (16) Honduras, (17) Argentina, (18) Haiti.

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<sup>1</sup> The appendices referred to hereinafter will be published as soon as certified copies of the records of the conference have been received from the Chilean Government.

The chairman of the delegation of the United States of America then read the following telegraphic message from the Secretary of State of the United States of America:

It is with the deepest regret that I have found it impossible, in accordance with the courteous invitation of the Government of Chile, to attend the opening of the Fifth Pan American Conference, and I desire to extend my most cordial greetings to the representatives of the Republics of the Western Hemisphere who have assembled on this auspicious occasion.

At a time when we witness the economic dislocations, the waste and impoverishment, and the distrust and hatred that have resulted from the Great War we have abundant reason to congratulate our peoples that peace reigns in this hemisphere, and the meeting of this conference affords the welcome opportunity to dedicate ourselves anew to the ideals of peace. Present experiences reinforcing the lessons of history caused fresh recognition of the futility of mere formal arrangements in the absence of good will, and however important may be the special topics of discussion the permanent value of the conference lies in the fact that here generate powerful currents of mutual understanding and friendly interest, supplying the motive power through which any remnants of suspicion and distrust may be removed and the injurious influences of earlier antagonisms may be overcome. All problems find solution among those who desire to be friendly and just, and the present imperative demand of civilization itself is that nations shall set themselves with all the resources of their intelligence and skill to the elimination of sources of controversy and shall earnestly and diligently seek for their manifold ills the cures which can only be found in friendship and good faith.

In this conference of American Republics it is sought not only to buttress the foundations of amity but to take full advantage of its opportunities. Our intimate economic relations require many advantageous adjustments which our fortunate relations make possible. The conviction which has led to these gatherings is that of a distinct community of interests among the Republics of this hemisphere. It is no prejudice to other interests wisely to conserve our own. These Republics, each appropriately safeguarding its sovereignty and independence, voice the sentiment which is the essence of pan-Americanism—the sentiment of mutual beneficial cooperation.

There are happily no controversies among us that can not be settled by the process of reason. No interest is cherished which could prompt aggression. There is no nation among us which entertains any ambition which runs counter to the aspirations of our free peoples. We rejoice in an expanding life; we are each proud of our traditions and achievements; we all desire the development of resources, increased facilities of education, and the improvement of the common lot of humanity. This conference means the practical direction of our material and spiritual forces to gain for all the American Republics the enhanced prosperity which waits on the friendly collaboration of States secure in their recognized equality, in their mutual respect, and in the supremacy of the common sentiment of justice.

I trust that your labors may have the happiest results.

(Signed) CHARLES E. HUGHES.

Telegrams were also read from the Presidents of the Argentine Republic, Brazil, and Paraguay and from the minister of foreign affairs of Spain.

It was determined, on the suggestion of the delegation of Chile, that the various topics of the program should be referred to eight principal committees, the personnel of which appears in Appendix 4 of this report. In addition a governing committee was constituted, composed of the heads of delegations, under the chairmanship of the president of the conference, to supervise and regulate the work of the conference; to this committee were also referred, in the first instance, all new questions and independent resolutions, as well as the consideration, in part, of the action taken by the participating countries with regard to the provisions of previous conferences and



the subject of future conferences (Topics I, in part, and XIX of the program).

These committees proceeded to the election of their respective presidents and vice presidents and to the selection of their "ponentes" (reporting delegates). The system of ponentes was adopted for the first time in the international conferences of American States. The duties of a ponente are to prepare and submit for discussion a general or particular plan of treatment of each subject before the committee, which generally reflects the point of view of the delegation of which he is a member. There may be as many ponentes for each committee as there are subjects to be considered; and a ponente is also chosen by the committee to report to the plenary session of the conference the result of the committee's deliberations. In case a minority report is necessary, the minority selects a ponente to set forth its views before the conference. A report regarding the ponente system, prepared by the secretary general of the conference, appears as Appendix 5 of this report.

The results accomplished by the conference will best appear by consideration of the work of these committees, as follows:

## POLITICAL COMMITTEE.

### (No. 1.)

The political committee, on which the United States was represented by Mr. Kellogg, Mr. Fletcher, and Doctor Rowe, dealt with Topics II, IX, and XVI of the program.

### TOPIC II.

ORGANIZATION OF THE PAN AMERICAN UNION ON THE BASIS OF A CONVENTION IN ACCORDANCE WITH THE RESOLUTION ADOPTED BY THE FOURTH PAN AMERICAN CONFERENCE AT BUENOS AIRES, AUGUST 11, 1910.

At the first meeting of the committee Dr. Montes de Oca (Argentina) presiding, Doctor Rowe (United States of America) was designated as reporting delegate (ponente). He prepared and submitted to the committee, as a basis of discussion, a draft resolution which followed almost exactly the form of resolution adopted at the Fourth International Conference of American States at Buenos Aires in 1910, and which is the basis of the present organization of the Pan American Union.

The first change in the present organization was made at the suggestion of the Chilean delegation and consisted in the creation of four permanent committees to assist the Pan American Union in its work. These committees will be named by the governing board and will have the following duties:

1. Study of the best means of developing the economic and commercial relations between the American Republics.
2. Study of all matters relating to the international organization of labor in America.
3. Study of questions relating to hygiene in the countries of the continent.
4. Study of the best means of developing intellectual cooperation, with especial reference to cooperation between American universities.

A radical change in the composition of the governing board was suggested by the Costa Rican delegation, which proposed the following resolution:

The government of the Pan American Union shall be vested in a governing board composed of the representatives of the American Governments accredited to the Pan American Union and of the Secretary of State of the United States of America, upon whom the Republics of America confer the chairmanship of the governing board.

In the absence of the Secretary of State, the representative upon whom has been conferred the vice chairmanship by rotation, according to seniority, shall preside over the sessions of the governing board.

American diplomatic representatives accredited to the Government of the United States who may not have been appointed as representatives to the Pan American Union shall have the right to attend the meetings of the governing board, but without vote in its deliberations.

The Governments of America which may not have named representatives to the Pan American Union or which may be temporarily without representatives may confer their representation upon their diplomatic representatives accredited in Washington or upon another voting member (vocal) of the governing board, and in such case the latter shall have a vote for each country represented.

The governing board shall hold regular sessions at such intervals as may be provided for by the regulations, and extraordinary sessions when convened by the chairman either upon his own initiative or upon petition of one or more voting members of the board.

The attendance of five voting members at ordinary or special sessions shall be sufficient to constitute a quorum, provided that the agenda of the meeting shall have been sent one week in advance to each member of the governing board.

This resolution gave rise to prolonged discussion. In proposing it the Costa Rican delegation maintained that the existing organization of the governing board, composed only of the diplomatic agents accredited to the Government of the United States, was unduly restrictive of the rights of the member States to name whomsoever they deemed most fit as their representatives on the governing board. It was also contended that the limitation of representation on the governing board to diplomatic agents accredited to the Government of the United States is unjust to those States whose Governments may not be recognized by our Government or which may lack diplomatic representation at Washington for some other reason.

The proposal aimed, however, at the eventual establishment of the governing board as a separate organization composed of representatives other than the regularly accredited diplomatic agents of the American Republics in Washington, and it appeared in discussion that one of its objects was to make it the nucleus of a possible future council of an American League of Nations. The Costa Rican proposal seemed to be supported, wholly or in part, by the delegations of Colombia, Cuba, Guatemala, Haiti, Honduras, Panama, Salvador, Santo Domingo, and Venezuela.

The delegation of the United States, believing it unwise and impracticable to set up in Washington a separate political body to deal with Pan American affairs and to which diplomatic agents might be accredited by the various American Governments, but desiring to give all American States equal rights of representation on the governing board of the Pan American Union, proposed that when an American State for any reason lacked diplomatic representation at Washington it might be represented on the governing board by a special representative, and that the other important and far-reaching



changes contemplated by the Costa Rican proposal be postponed for further consideration by the Governments concerned.

Our proposal, supported by Brazil and other delegations, after debate in full committee and reference of the matter to a subcommittee, was eventually adopted in somewhat different phraseology with the understanding that this special representation on the governing board would not imply or involve the recognition of the Government so represented by any other American Government. During the debate on the organization of the governing board of the Pan American Union one of the Colombian delegates intimated that the provision which made the Secretary of State of the United States ex officio chairman of the governing board might also imply a certain inequality, and stated that if this were the sentiment of the committee he would propose a change in this respect, whereupon the delegation of the United States made it clear that it did not desire to insist upon this provision if it encountered the slightest opposition in any quarter, and that it would gladly accept another method of selection of the chairman of the board. The committee decided to change the existing regulations in this respect, and hereafter the governing board will elect its chairman and vice chairman.

The article (No. V) as originally proposed and as redrafted and adopted appears in parallel columns below:

## ORIGINAL DRAFT.

The Government of the Pan American Union shall be vested in a Governing Board composed of the diplomatic representatives of the American Governments accredited to the Government of the United States of America, upon whom the Republics of America have conferred the Chairmanship of the Governing Board.

In the absence of the Secretary of State, one of the diplomatic representatives in Washington who may be present shall preside over the sessions of the Governing Board, with the character of Vice Chairman and in such order as the Board may determine.

An American Government which may not have a diplomatic representative at Washington may confer its representation on the Governing Board upon any other member of the Board; in this case such representative shall have one vote for each country represented.

The Governing Board shall hold regular sessions at such intervals as the regulations may determine, and extraordinary sessions when convened by the Chairman, either upon his own initiative or upon petition of two members of the Board. The attendance of five members at ordinary or special sessions shall be sufficient to constitute a quorum. Provided that the agenda of the meeting shall have been sent one week in advance to each member of the Governing Board.

## AS REDRAFTED AND ADOPTED.

The Governments of the American Republics enjoy, as of right, representation at the International Conferences of American States and in the Pan American Union.

The Government of the Pan American Union shall be vested in a Governing Board, composed of the diplomatic representatives of the American Republics accredited to the Government of the United States of America, and the Secretary of State of the United States of America.

An American Republic which for any reason may not have a diplomatic representative accredited to the Government of the United States of America may appoint a Special Representative on the Governing Board. In case of the temporary absence, due to official leave or illness, of an Ambassador, Minister, or Chargé d'Affaires accredited at Washington, he may be replaced by a Special Representative of the respective Government, who may be selected from among the other members of the Governing Board. In this latter case such Representative shall have as many votes as States represented.

The Governing Board will elect its President and Vice President.

The action of the conference on the Costa Rican proposal above referred to was as follows:

In view of the importance and significance of the project which the Delegation of Costa Rica has presented to the consideration of this Conference for the organization of the Governing Board of the Pan American Union.

The Fifth International Conference of American States

*Resolves:* To recommend to the Governments of the Republics of America the study of the aforesaid project, in order that the Governing Board of the Pan American Union may present a draft of resolution or convention to the Sixth International Conference of American States.

The resolutions referred to will be found attached to this report as Appendices 10, 11.

It was also decided, in view of the existing differences of opinion with reference to the most efficient form of organization of the Pan American Union, to postpone the preparation of a treaty or convention on this subject until the next Pan American Conference.

#### TOPIC IX.

CONSIDERATION OF MEASURES TENDING TOWARD CLOSER ASSOCIATION OF THE REPUBLICS OF THE AMERICAN CONTINENT WITH A VIEW TO PROMOTING COMMON INTERESTS.

#### TOPIC XVI.

CONSIDERATION OF THE QUESTIONS ARISING OUT OF AN ENCROACHMENT BY A NON-AMERICAN POWER ON THE RIGHTS OF AN AMERICAN NATION.

These two topics were included in the program at the suggestion of the Uruguayan Government. The Uruguayan delegation during the early sessions of the conference let it be known that it was not their intention to press for the consideration of these two topics by the Fifth Conference.

Dr. J. Antonio Buero, of the Uruguayan delegation, was appointed reporting delegate (ponente) of these two topics for the political committee. Doctor Buero, in making his report to the political committee, explained the reasons actuating the Uruguayan Government in proposing their inclusion in the program of this conference. Inasmuch as it was understood that the topics were not to be considered by the conference, the discussion of them was perfunctory. The Colombian delegation read a long statement in criticism of the Monroe doctrine, which, however, was not discussed.

The committee unanimously decided to recommend that these two topics should be made the subject of further especial study by the governing board of the Pan American Union, and the resolution adopted by the conference to that effect reads as follows (Appendix 12):

#### *Resolved:*

1. To entrust to the governing board of the Pan American Union the special task of studying the bases which may be proposed by one or more of the Governments of the Republics of this continent to make closer the association between said Republics with the object of promoting common interest of all.

2. To entrust to the same governing board the special task of studying the bases which may be proposed by one or more of the Governments of the Republics of America relative to the manner of making effective the solidarity of the collective interests of the American Continent.

#### JURIDICAL COMMITTEE.

(No. 2.)

The juridical committee, on which the United States was represented by Messrs. Pomerene, Kellogg, and Saulsbury, dealt with



Topics III, X, XIV, and XV of the program. Mr. Mello Franco (Brazil) was elected president and Mr. Aldunate Solar (Chile) designated ponente.

### TOPIC III.

CONSIDERATION OF THE RESULTS ACCOMPLISHED BY THE CONGRESS OF JURISTS WHICH MET AT RIO DE JANEIRO WITH RESPECT TO THE CODIFICATION OF INTERNATIONAL LAW.

Agreement was immediately reached in the committee regarding the advisability of the codification of international law, and appreciation was expressed of the work performed to that end by the Congress of Jurists held at Rio de Janeiro in 1912 and by its committees.

Inasmuch as the meeting of the commission of jurists which had been projected for 1914 had not been held, owing to the outbreak of the World War, and as the labors of the committees appointed by the 1912 congress had been suspended, doubt had arisen regarding the exact status of the commission and its various committees. It was therefore unanimously agreed by the committee, and so subsequently approved by the conference, to recommend the reconstitution of the commission of jurists, requesting each American Government to appoint two delegates on the commission and to recommend that the International Congress of Jurists be convened at Rio de Janeiro during the year 1925, leaving the exact date to the determination of the Pan American Union and the Government of Brazil.

The conference further approved the recommendation of the committee that the Governments of the American States reconstitute the committees appointed by the Rio de Janeiro congress of 1912, and that an additional committee be named for the comparative study of the civil law of all the American peoples.

In considering the codification of private international law, discussion in the committee brought out the difficulty presented by the fact that in some American States the principle of domicile is applied in the determination of the civil status of persons, while in other States of the continent the principle of nationality governs. The opinion seemed to be general in the committee that unless some conciliation could be effected as a preliminary step between these two opposing principles no practical advance could be realized in the work of codifying private international law. It was therefore agreed, and approved by the conference, to recommend to the Congress of Jurists that it should decide previously, if it deemed it advisable, the juridical system or systems to be adopted or to be combined for the preparation of a code of private international law. The full text of the resolutions embodying these recommendations will be found in Appendix 13.

### TOPIC X.

CONSIDERATION OF THE BEST MEANS TO GIVE WIDER APPLICATION TO THE PRINCIPLE OF THE JUDICIAL OR ARBITRAL SETTLEMENT OF DISPUTES BETWEEN THE REPUBLICS OF THE AMERICAN CONTINENT.

The consideration of this topic was delayed by the juridical committee, inasmuch as a project of a global conciliation treaty engaged the attention of the armaments committee early in the conference. (See report of armaments committee, p. 22 of this report.)

Since no agreement could be reached in the armaments committee regarding the arbitration provisions of the proposed treaty, the juridical committee limited its discussion of the topic to the drafting of a declaration in favor of the principle of arbitration. A few delegations wished to go further in this matter than any American conference had yet gone, and to proclaim compulsory arbitration as a principle of American public law. The advisability was generally recognized, however, of not declaring principles which, however meritorious as an aspiration, could not receive the ratification of the Governments concerned and be translated into practical results.

A declaration was finally adopted which received the unanimous approval of the committee and ultimately of the conference, the text of which reads as follows:

The Fifth Pan American Conference observes with pleasure the extension which has taken place in recent years in the application of conciliation, judicial settlement, and arbitration as means of deciding controversies between the nations of the continent; and expresses the hope that the progress of these methods of settlement may continue and that their application in the near future may be as general and broad as possible.

The Costa Rican delegation presented a project for the establishment of a permanent American court of justice, which, after being briefly discussed in the committee, it was agreed to refer to the Congress of Jurists at Rio de Janeiro for further study.

The full text of the recommendations of the committee in regard to Topic X, as adopted by the conference, will be found in Appendices 14-15.

It is gratifying to report that the statements made by the various delegations indicated that all the countries participating in the conference advocated the general principle of the pacific settlement of international disputes, and the delegates of the United States carried away from the conference the firm conviction that the nations of the American Continent will always adopt appropriate means of conciliation and arbitration for the settlement of any disputes of a grave character before resorting to armed conflict.

#### TOPIC XIV.

#### CONSIDERATION OF THE RIGHTS OF ALIENS RESIDENT WITHIN THE JURISDICTION OF ANY OF THE AMERICAN REPUBLICS.

The discussion of the general topic of the rights of aliens was centered entirely on the question of revising the convention on pecuniary claims adopted at the Fourth International Conference of American States, held at Buenos Aires in 1910. This convention was based upon the treaty providing for the arbitration of pecuniary claims concluded at the Second International Conference of American States, held in the city of Mexico, 1901-2, and amended at the Third International Conference of American States, held at Rio de Janeiro in 1906. The principal provision of the treaty is as follows:

The high contracting parties agree to submit to arbitration all claims for pecuniary loss or damage which may be presented by their respective citizens, and which can not be amicably adjusted through diplomatic channels, if said claims are of sufficient importance to warrant the expense of arbitration.

The decision shall be rendered in accordance with the principles of international law.



The convention is to remain in force indefinitely, but it may be denounced by any of the contracting parties by giving two years' notice in advance.

It appears that the convention has been ratified by the following States: Brazil, Costa Rica, Dominican Republic, Ecuador, Guatemala, Honduras, Nicaragua, Panama, Paraguay, the United States, and Uruguay.

The delegation from Uruguay proposed to the committee a revision of this treaty by adding the following clauses:

Every individual is subject to the laws and authorities of the State in which he resides and where he enjoys the same civil rights as nationals. In no case may he pretend to obtain other rights or exercise them in any other way than that determined by the constitution and laws of the country.

The decision shall be given in accordance with the principles of international law, and consequently only in the case of "denial of justice" will arbitration be admissible as determined in the foregoing paragraph. The Government of the country where such a claim may be presented may demand that the arbiter resolve as a matter of primary importance whether there does exist a denial of justice, and may also request as a matter of primary importance a decision as to whether the case in question comes under the jurisdiction of the judges or courts of the country claimed against.

The question raised by the proposed additions was fully considered in the Rio de Janeiro conference of 1906 and in the conference that met at Buenos Aires in 1910, at which the existing treaty was adopted. It will be recalled that during the discussion of this treaty at the Buenos Aires conference fears were expressed lest the treaty might be interpreted to warrant a recourse to international arbitration before the local legal remedies had been exhausted. After a full consideration of the matter the respective committee at that conference decided that these fears were groundless, but for the sake of clarity added the clause above quoted, viz:

The decision shall be rendered in accordance with the principles of international law.

It will also be recalled that at the conference of 1910 the following article was proposed:

In case the nation against which the claim is made does not admit the procedure by the diplomatic channel, the arbitral tribunal shall treat this point of difference as a preliminary question, and if it decides that the diplomatic procedure is not appropriate, the claim shall be dismissed. If this preliminary question shall be resolved in favor of the procedure by the diplomatic way, the arbitral tribunal shall then take cognizance of the merits of the case.

The amendment presented to the juridical committee by the Uruguayan delegation was intended to accomplish substantially what had been proposed at the conference of 1910—that the question of a denial of justice should be a preliminary question to be determined by the arbiter. As the matter had been fully discussed in 1906 and again in 1910, before the signing of the present treaty, the delegation of the United States suggested that the subject should not be reopened. The delegation presented to the committee a memorandum supporting this view, from which the following paragraphs are taken:

So far as we know, the claims treaty has been generally satisfactory and has not given rise to any serious controversies. We are not aware that the treaty has operated to the prejudice of any Government. We do not believe that this treaty excludes the general principles of international law that a foreign

citizen resident in a country is subject to the laws and enjoys the same civil rights as a national, and that it is only in the case of a delay or denial of justice that diplomatic intervention is justified and arbitration is required; but in view of the many conditions which may enter into and constitute a denial of justice, and the innumerable conditions under which Governments are justified in taking up the question as a diplomatic one, it seems that these questions should be left to be determined by the general principles of international law and to be considered in each individual case.

Furthermore, as it was stated at the time the treaty was entered into, this proposal might tend to limit the freedom of diplomatic action, and would have the effect of inviting denials of the propriety of such action, and delays which would complicate procedure of arbitration. Furthermore, it would be incapable of exact execution for the reason that the question whether diplomatic intervention is justified could not easily be determined without an examination of the merits of the case.

The provisions of the present treaty must necessarily be construed in the light of the local laws of each country, its judicial procedure, the principles of international law, and diplomatic usage, and to undertake to define more accurately the specific rules under which claims will be arbitrated will only lead to confusion and will not advance the cause of arbitration.

The Colombian delegation supported the amendments suggested by the delegation of Uruguay, and proposed a further modification of the convention by the addition to it of the following article:

In all cases in which a foreigner may have civil, criminal, or administrative claims or complaints against a State or the nationals thereof he shall bring such claim before the competent court of the country, and he may not present a claim through diplomatic channels except in cases in which there may have been on the part of such court a manifest denial of justice, unusual delay, or evident violation of the principles of international law.

In view of the divergences of opinion existing among the various delegations concerning the advisability of revising the convention in question, it was agreed, and so approved by the conference, to refer this matter, together with the general question of the rights of aliens resident within the jurisdiction of the American States, to the consideration of the Congress of Jurists at its meeting at Rio de Janeiro to be held in 1925. The text of the resolution will be found in Appendix 16.

#### TOPIC XV.

#### CONSIDERATION OF THE STATUS OF CHILDREN OF FOREIGNERS BORN WITHIN THE JURISDICTION OF ANY OF THE AMERICAN REPUBLICS.

Inasmuch as the nationality laws of all the American Republics include the principles of both *jus soli* and *jus sanguinis*, either in a qualified or unqualified form, it was evident that the adoption of any uniform rule for determining the nationality of children of foreigners born within the jurisdiction of any of the American Republics would involve the amending of the constitutions of several States and the repealing of much existing legislation.

Certain delegations, however, presented definite proposals for the adoption of a uniform rule, among which were the following:

#### *Proposal of the Argentine delegation.*

With the exception of children of foreign ministers and of members of resident diplomatic missions, all children of foreigners born within the jurisdiction of any American State possess the nationality of the country of their birth.



*Proposal of the Brazilian delegation.*

The status of children of foreigners born within the jurisdiction of any of the American Republics, as long as they are domiciled therein, shall be governed by the laws in force in the respective territories. (In reporting this topic to the full conference Mr. Alejandro Alvarez stated: "This proposal is a novelty in international law and tends to solve on our continent, in a satisfactory manner, this serious question. The rule proposed merits careful study on the part of the commission of jurists charged with finding a solution of this matter.")

*Proposal of the delegation of Uruguay.*

All children of foreigners born upon the American Continent shall have the nationality of the country of their birth, excepting that upon reaching majority and finding themselves in the country of origin they should express their desire to adopt the nationality of the latter country.

Mr. Carlos Aldunate Solar, ponente of the committee, stated that in his opinion it would be preferable to accept the fact of dual nationality and to correct by means of conventional agreements the effects resulting from its application to such matters as the performance of military service, et cetera. As it appeared, however, that no agreement could be reached in the committee with regard to these matters, the delegation of the United States made the following proposal, which was approved in substance by the committee and subsequently by the conference:

In view of the fact that discussions in this committee indicate important differences in the legislative and constitutional provisions of various countries represented here, as well as divergent opinions of the members of the committee, the delegation of the United States suggests that this question be referred for further study to the appropriate committee of the commission of jurists, the reconstitution of which has been provided for by a resolution approved by this committee on April 6, without prejudice to such conventional agreements on the subject as the treaty-making powers of the various States may determine upon among themselves.

The full text of the resolution as adopted appears hereinafter in Appendix 17.

In addition, the juridical committee reported the following resolutions, which were adopted by the conference: (a) Expressing appreciation of the work accomplished by the jurists who had prepared projects to serve as bases for the codification of American international law; and (b) extending the congratulations of the conference to the American Institute of International Law (see Appendices, 18, 19).

## HYGIENE COMMITTEE.

(No. 3.)

The hygiene committee, on which the United States was represented by Messrs. Vincent and Partridge, dealt with Topics IV and XVIII of the program. Mr. Agüero (Cuba) was elected president and Doctor Vincent (United States of America) designated ponente.

## TOPIC IV.

MEASURES DESIGNED TO PREVENT THE PROPAGATION OF INFECTIOUS DISEASES,  
WITH SPECIAL REFERENCE TO THE RECOMMENDATIONS OF THE INTERNATIONAL  
SANITARY CONFERENCES.

Before formulating proposals under this topic the ponente (Doctor Vincent, United States) solicited suggestions from all members

of the committee. The material thus collected was reorganized, presented in a unified and consistent form, and unanimously accepted. The program included: (1) A statement of guiding principles and procedures in the development of public health work; (2) a uniform international maritime sanitary code; (3) change of name from International to Pan American Sanitary Bureau; (4) responsibility of Government for care of indigent sick; (5) development of public hygiene as a profession; (6) continued recognition of hygiene and public health by Pan American conferences; (7) sanitary safeguarding of national frontiers; (8) uniform standards for foods and drugs; (9) international conferences of heads of health services; (10) detailed suggestions for incorporation in the proposed sanitary code; and (11) increase in the list of obligatorily reportable diseases. The text of the resolutions embodying this program appears in Appendices 20-30.

In addition, the following resolutions were reported by the committee under this topic and adopted by the conference (Appendices 31-34):

(1) Expressing approval of and recommending that the American Governments cooperate with the Gorgas Memorial Institute at Panama.

(2) Expressing appreciation of the generous and humanitarian services rendered by the Rockefeller Foundation to the cause of international health and medical education;

(3) Recommending certain standards of medical service on board ocean passenger ships; and

(4) A plan for calling a Pan American conference on eugenics and homoculture, leaving the date and place of meeting to the determination of the governing board of the Pan American Union. The delegates of the United States, in the absence of instructions and in doubt as to the policy involved, refrained from voting on this resolution.

#### TOPIC XVIII.

##### CONSIDERATION OF MEASURES ADAPTED TO SECURE THE PROGRESSIVE DIMINUTION IN THE CONSUMPTION OF ALCOHOLIC BEVERAGES.

The committee reported three resolutions under this topic as follows:

(1) Recommending specific measures, the adoption of which will tend to solve the problem of alcoholism;

(2) Recommending the extension of propaganda directed against intemperance; and

(3) Upon the proposal of the delegation of the United States, a recommendation to the American States that they adopt "measures conducive to the prohibition of the shipment of intoxicating beverages to a country where their consumption is prohibited, without the previous special authorization of the competent authority of the country from which shipment is made."

The Cuban delegation did not adhere to the third resolution, because of lack of instructions.

In regard to these resolutions the delegation of the United States put on record the fact that the proposed measures did not go as far as the prohibition legislation adopted by the United States. The delegation, however, accepted these agreements because they seemed to represent, in the judgment of the committee, the maximum which would be acceptable to the majority of the other Republics of America.

The full text of the resolutions under this topic as adopted by the conference will be found in Appendices 35-37.



## COMMUNICATIONS COMMITTEE.

(No. 4.)

To this committee, upon which the United States of America was represented by Messrs. Saulsbury, Kellogg, and Fowler, and of which Mr. Narciso Garay (Panama) was elected president and Mr. Luis Barros Borgoño (Chile) ponente, were assigned Topics V and VII of the program.

## TOPIC V.

PAN AMERICAN AGREEMENT ON THE LAWS AND REGULATIONS CONCERNING, AND COOPERATION IN THE IMPROVEMENT OF THE FACILITIES OF, COMMUNICATION ON OCEAN AND LAND AND IN THE AIR.

The result of the deliberations of the committee upon the several subjects embraced in this topic may be summarized in the following order, which follows that of the ponencia of this committee, appearing as Appendices 38-43 to this report.

*1. Improvement of ocean transportation.*

Upon the proposal of the representatives of the delegation of the United States of America the committee approved, and the conference adopted, recommendations in the following sense:

That, in order to stimulate direct commerce between American nations, maritime communications service be efficaciously protected, the merchant marine of each State encouraged, and such exemptions and facilities as are compatible with their respective laws be accorded the merchant ships of other States; that conventions be entered into in order that maritime commerce between the respective countries may rely upon practical and efficacious regulations in the ports of each State; that vessels engaged in commercial traffic, established by national initiative or with the support or protection of any of the States represented at the conference, shall enjoy in ports of transit all privileges and exemptions extended to national commercial vessels; and that the maritime communications of the Pacific be improved in order completely to satisfy the requirements of its commercial traffic—recognizing, however, that maritime service in general between the United States and the nations of Central and South America has notably improved during recent years.

Furthermore, the committee recommended that the other American Republics cooperate with the Government of Brazil in order that, with the mercantile marine equipment of that country, maritime service may shortly be initiated between the important ports of the Atlantic and Pacific coasts of the continent; and that the Dominican Republic be included in the Pan American system of transportation by means of a line of ships communicating directly with the ports of the Panama Canal.

*2. The Inter-Continental Railroad and Motor Transportation.*

With respect to the Inter-Continental (Pan American) Railroad, the committee proposed and the conference approved recommendations to the following effect:

(a) That the Pan American Railroad Committee be reorganized under the direction of the governing board of the Pan American Union, in cooperation with the American Governments which may be represented upon the committee

if they so desire, with reiteration of the gratitude expressed by the fourth conference for its important services.

(b) That the third resolution of the fourth conference, in so far as it recommends the realization of this task, be confirmed, and that the Pan American Railroad Committee be charged with the study of the practical, technical, financial, or other means of solving this problem, which will efficaciously contribute to the union of the American Republics.

(c) That as an immediate means for the earliest realization there be adopted a decision analogous to that of the Second South American Railroad Congress of September, 1922, to the effect that in view of the fact that transportation facilities between the different countries of the American Continent constitute the most effective means of stimulating production and increasing commercial relations between them, there be recommended to the Governments the construction of international railways based upon agreements regarding rates to facilitate exchange of products and merchandise in transit.

(d) That with the same purpose the conference recommend that the American nations conclude agreements for the immediate construction of branch lines to include in the Pan American railroad project the countries which are not traversed thereby.

At the suggestion of the delegation of the United States of America recommendations relative to motor transportation were approved and adopted as follows:

(a) That there be recommended to the States which are members of the Pan American Union that, especially when necessary railroad communications are lacking, there be established as rapidly as possible motor transportation facilities between their most important cities, between these cities and the principal ports permanently open to international commerce, and between the national capitals and the capitals of neighboring States.

(b) That the same States send to the Pan American Union at Washington, within a period of six months from the date of the closing of this conference, a report regarding existing automobile roads, as well as those under construction or projected.

(c) That at a date and place to be determined by the governing board of the Pan American Union there be held a motor road conference to study the most adequate means of developing an effective program for the construction of motor roads in and between the various American countries.

The recommendation was approved and adopted that conventions be concluded between the various States relative to motor transportation in order to determine the international laws concerning automobiles and to regulate motor traffic.

### *3. Policy, laws, and regulations concerning commercial aircraft, the advisability of an international technical commission on the location of standard landing places, the determination of aerial routes, and the formulation of special customs procedure for aircraft.*

Pursuant to the proposal of the delegation of the United States of America, the following recommendations were approved by the committee and adopted by the conference:

(a) That there be established under the title of the Inter-American Commercial Aviation Commission an inter-American technical commission to consider the policy, laws, and regulations relative to commercial aviation, to be composed of not more than three delegates from each State member of the Pan American Union, and to meet at a place and date to be determined by the governing board of the Pan American Union.

(b) That the Inter-American Commercial Aviation Commission prepare a draft of the laws and regulations, the adoption of which shall be recommended to all the American States, regarding commercial aviation, the determination of aerial routes, the formulation of special customs procedure for aircraft, and the definition of standard landing places and recommendations with respect to the points where such landing places shall be established.



(c) That the sessions of the Inter-American Commercial Aviation Commission shall terminate within three months after its first meeting, and that its conclusions be submitted to the governing board of the Pan American Union.

(d) That the governing board of the Pan American Union shall embody in a convention or conventions the conclusions of the Inter-American Commercial Aviation Commission which may lend themselves to inter-American agreements and shall submit them to the consideration of the States belonging to the Pan American Union.

In addition, a recommendation was approved and adopted that the Inter-American Commercial Aviation Commission in its deliberations shall consider existing conventions in order to adopt them in so far as possible, with such modifications as the progress of commercial aviation and the interests of the States members of the Pan American Union may require.

4. *Cooperation of the Governments of the American Republics in reference to all kinds of wireless communication in America, and by means of agreements for its regulation.*

The conference approved the recommendation of the committee that the States belonging to the Pan American Union be guided by the following general principles in the regulation of their electrical communication:

That international electrical communication, which is an essential part of the public service, should be placed under the supervision of the interested governments; that domestic electrical communication, in so far as it affects or forms part of the system of international communication, should be placed under governmental supervision; that in the exercise of this authority the Governments should be guided by the principle of maximum efficiency in communication; and that electrical communication for public use, whether domestic or international, should be available to all without any discrimination whatsoever.

Upon the initiative of the delegation of the United States of America the committee approved, and the conference adopted, a recommendation that there be established, under the title of the Inter-American Electrical Communications Commission, an inter-American technical commission to consider the cooperation which may be established between the American States, as far as electrical communications are concerned, to be composed of not more than three delegates of each State belonging to the Pan American Union, and to meet at a date and place to be determined by the governing board of the Pan American Union; this commission to examine the most efficacious method of applying in each State the general principles above referred to, and to prepare a convention which shall establish equitable proportional rates and uniformity of rules governing inter-American electrical communication, including communication by radio telegraphy, submarine cables, land telegraph lines, and land and submarine telephone lines. The sessions of this commission shall terminate within three months after its first meeting and its conclusions shall be submitted to the governing board of the Pan American Union in order that they may in turn be submitted to the consideration of the States belonging to the Pan American Union.

The committee further recommended, and the conference approved, recommendations to the effect that—

1. The American nations conclude agreements for the reciprocal reduction of 50 per cent in taxes or imposts upon official correspondence, either terminal or in transit, which may be transmitted by submarine cable.

2. That the American nations prepare agreements extending to all of them the privilege of free telegraphic transmission of official correspondence, by which provision consular agents and assistants shall also benefit.

The delegation of the United States of America withheld its vote with respect to these recommendations, in view of the fact that telegraphic lines and submarine cables in the United States are private property.

#### NEW SUBJECTS.

##### *Uniformity of communications statistics.*

Upon the suggestion of the Brazilian delegation, the committee proposed, and the conference adopted, recommendations that the American Governments participate in a conference, at a date and place to be set by the governing board of the Pan American Union, to determine methods, processes of computation, and selection of typical documents, in order to secure uniformity of communications statistics in the Americas; that each Government which may be represented by one or more delegates shall, nevertheless, have but one vote in the deliberations of the conference; and that the Pan American Union be charged with all preparations for this conference, as well as with the determination of the quota of each participating nation.

##### *Technical assistants.*

At the suggestion of the Brazilian delegation the conference adopted, with the approval of the committee, a recommendation that each Government of the American States accredit to the other American Governments, wherever it may be deemed convenient, technical experts, who shall preferably be engineers, to assist the respective diplomatic and consular authorities in examination and reports regarding technical and economic progress in the respective countries.

#### TOPIC VII.

##### MEASURES FOR THE SIMPLIFICATION OF PASSPORTS AND ADOPTION OF STANDARD FORMS.

After a discussion of the value and necessity of passports for purposes of identification and the regulation of immigration and a comparison of the conditions in Europe and in the States of the American Continent the committee approved, and the conference adopted, a resolution expressing the advisability that as soon as possible—

Passports for the use of persons traveling between the American nations be rendered uniform and as simple and portable as possible;

When the holders of passports are citizens or nationals of American States traveling from one American country to another the formalities of consular visé be reduced or suppressed, and that pass-



ports and other restrictions which impede free communication between nations be abolished;

A uniform fee, fixed in gold, be established for the issuance of passports in all American States; and

While the American States may reserve the right to require a passport, if deemed necessary, adjoining nations reach administrative agreements with each other by virtue of which a certificate of identification issued by the competent authority of any one of the said States may serve as a passport for journeys between these States. (See Appendix 44.)

## COMMERCE COMMITTEE.

### (No. 5.)

This committee dealt with Topics I (in part), VI, and XI of the program. Mr. Amézaga (Uruguay) was elected president, and Mr. Fowler (United States) was designated ponente. Messrs. Fowler and Pomerene represented the delegation of the United States of America on this committee.

#### TRADE-MARKS (see Topic I of the program).

A draft convention was submitted by our delegation which, after thorough debate and consideration, was revised and adopted. (See Appendix 6.)

This convention as finally adopted and signed differs in its wording from the revision of the Trade-Mark Convention submitted by the United States delegation. It, however, affords all the protection that can reasonably be expected for American trade-marks, and, as in the convention of 1910, two bureaus are provided for. The payment of national fees in their entirety is believed to be acceptable to American trade-mark owners, who will now have the privilege of selecting where they want their trade-marks registered. The basic principle of the convention as approved fully respects the national legislation and fiscal interests of all the signatory States and gives full protection to trade-mark users in the countries where ownership of the mark is acquired through registration.

#### TOPIC VI.

#### COOPERATION WITH RESPECT TO THE SUPERVISION OF MERCHANDISE ENTERING INTO INTERNATIONAL COMMERCE.

##### *1. The uniformity of customs regulations and procedure.*

The American delegation, with a view to eliminating the obstacles to the free development of inter-American commerce arising out of the lack of uniformity of customs regulations and procedure, proposed a recommendation consisting of eleven sections, the last of which was slightly amended; six new sections were added by other delegations. The recommendation thus changed was adopted. (See Appendix 45.)

A convention was proposed by the Brazilian delegates for the publicity of customs documents, in order to assist inter-American commerce, often handicapped by lack of knowledge of the customs

laws, regulations, and procedure. The convention provides for the exchange of all customs laws, decrees, and regulations between the contracting States and intrusts to the Central Executive Council of the Inter-American High Commission the publication of a handbook, as detailed as possible, containing the said laws of the respective countries. An amendment was offered by our delegation providing for the publication of said laws in an abridged form, so as to comply with the usage prevalent in the United States. This amendment was approved and the convention adopted. (See Appendix 7.)

*2. The uniformity of shipping and insurance documentation.*

The United States delegation presented a project of a convention for the standardization of shipping documents. The principal points in this convention are: (1) That the contracting parties agree not to require in inter-American commerce any consular document other than the manifest or the bill of lading, except that a certificate of origin of merchandise may be required when local legislation provides for same; (2) that the shipping documents shall follow the models approved by the Fourth International Conference of American States; and (3) that the consular invoice shall be in the languages of the countries of origin and destination. Although this project met with the approval of the committee, due to the lack of instructions by some of the delegations, it was found impossible to adopt the same. A resolution, however, was adopted recommending to the various Governments the study of the proposed convention and its adoption with the least possible delay. (See Appendix 46.)

*3. The uniformity of principles and interpretation of maritime law.*

On this subject our delegation proposed a resolution recommending the unification of the different principles and interpretation of maritime law as applied by various countries of the Americas and requesting the Inter-American High Commission to continue its studies as to the best means to attain this end. With a few changes this proposed resolution was adopted. (See Appendix 47.)

*4. The uniformity of nomenclature for the classification of merchandise.*

A draft convention on the uniformity of nomenclature for the classification of merchandise was presented by the American delegation, providing that the contracting parties use the so-called Brussels nomenclature of 1913 in their statistics on international commerce, either exclusively or supplementary to other systems. On the recommendation of other delegations, an article was added providing for the arbitration of disputes arising out of this convention. This recommendation was accepted and the convention adopted. (See Appendix 8.)

*5. Uniform parcel-post procedure and consideration of the American Parcel Post Convention.*

The conference adopted a resolution proposed by our delegation inviting the signatory States which had not done so to ratify the principal convention of Buenos Aires of September, 1921, and the Parcel Post Convention of Buenos Aires of September, 1921. (See Appendix 48.)



6. *Advisability of adopting conventions in order to make effective Resolution XVII, voted by the Second Pan American Financial Congress, which assembled in Washington, January, 1920.*

The Argentine Delegation presented a resolution recommending the improvement of the organization of international credits and exchange of raw materials, which was adopted. (See Appendix 49.)

#### TOPIC XI.

CONSIDERATION OF THE BEST MEANS TO PROMOTE THE ARBITRATION OF COMMERCIAL DISPUTES BETWEEN NATIONALS OF DIFFERENT COUNTRIES.

After careful study by the committee of our proposal for the organization of chambers of commerce in the commercial centers of the American Continent and the extrajudicial arbitration of commercial controversies through agreements between the said chambers, in conformity with the system already in force between various chambers of commerce and especially between "La Bolsa de Comercio de Buenos Aires" and the Chamber of Commerce of the United States of America, the recommendation was adopted with two supplementary additions proposed by the Brazilian and Uruguayan delegations. (See Appendix 50.)

#### NEW TOPICS.

(Referred to Commerce Committee.)

*Inter-American exhibition of samples.*

On the proposal of the delegation of Brazil, a resolution was adopted for the calling of a conference by the governing board of the Pan American Union in May, 1924, for the organization of annual exhibitions of samples. (See Appendix 51.)

*Cooperation of Inter-American High Commission.*

The resolution proposed by the United States delegation for the cooperation of the Inter-American High Commission with subsequent international conferences of American States was adopted. (See Appendix 52.)

*Standardization of specifications of machinery, tools, materials, and supplies.*

A resolution proposed by the American delegation was adopted for the calling of a conference, at a date and place to be determined by the governing board of the Pan American Union, on the standardization of specifications of materials, etc. (See Appendix 53.)

*Inter-American postal drafts.*

The delegation of Brazil proposed a resolution recommending to the American Republics the adoption of the principles established by the Madrid Postal Convention of 1920 and by the Buenos Aires Convention of 1921, relative to the currency in which international money orders are to be issued. This resolution was adopted. (See Appendix 54.)

## AGRICULTURAL COMMITTEE.

(No. 6.)

The agricultural committee, on which the United States was represented by Messrs. Partridge and Vincent, dealt with Topic VIII of the program. Mr. Valencia (Colombia) was elected president, and Mr. Saguier (Argentina) was designated ponente.

## TOPIC VIII.

COOPERATION IN THE STUDY OF AGRICULTURAL PROBLEMS. UNIFORMITY OF AGRICULTURAL STATISTICS. COOPERATION IN THE ELIMINATION OF DISEASES OF CATTLE. ORGANIZED EFFORTS FOR INTERCHANGE OF USEFUL PLANTS AND SEEDS.

The conference adopted a program of wide-reaching character for the cooperation of the American Republics in the study of agricultural problems, uniformity of agricultural statistics, the elimination of diseases of cattle and plants, and the interchange of useful plants and seeds. In the committee on agriculture, the delegates of the United States submitted as a project the memorandum prepared on the subject by the United States Department of Agriculture. Projects were also submitted by Argentina, Brazil, Chile, Cuba, the Dominican Republic, and Uruguay. The resolution reported by the committee and adopted by the conference was a coordination of these different projects and expressed the spirit of the whole.

Under the heading of "Cooperation in the study of agricultural problems," the Dominican delegation recommended the creation of an American agricultural and industrial institute. The United States delegation believed this premature and that, for the present at least, this work could be better done by the International Institute of Agriculture at Rome. In discussion it was apparent that this was the view of the majority of the committee. The resolution as adopted recommends the adherence to the International Institute of Agriculture at Rome by the American Republics and the study of the advisability of creating an American agricultural and industrial institute in the future.

Under the heading of "Cooperation in the elimination of the diseases of cattle and plants," the resolution recommends the adoption of the agreements and principles of the conventions signed by some of the South American Republics in Montevideo in 1912 and 1913 with respect to vegetable and animal sanitary police. Though not in so full detail as the memorandum of the United States Department of Agriculture on that subject, they seemed to be consistent therewith. Inasmuch, however, as they were more particularly applicable to countries having a contiguous territory, the words "and principles" were inserted at the suggestion of the delegates of the United States.

Under the heading "Organized effort for interchange of useful plants and seeds," the resolution recommends the consideration of the advisability of freeing from customs duties agricultural fertilizers and agricultural machinery. The original proposal made by the Chilean delegation related only to fertilizers. The United States delegation, while pointing out that such fertilizers were already free from duty when entering the United States, suggested that



agricultural machinery also be included in the resolution. It was so agreed.

The full text of the resolution as reported by the committee and adopted by the conference will be found hereinafter in Appendix 55.

## ARMAMENTS COMMITTEE.

### (No. 7.)

The armaments committee, on which the United States was represented by Messrs. Fletcher, Kellogg, and Pomerene, and of which Mr. Fletcher was elected chairman and Mr. Antonio Huneeus (Chile) ponente, dealt with Topic XII of the program.

### TOPIC XII.

CONSIDERATION OF THE REDUCTION AND LIMITATION OF MILITARY AND NAVAL EXPENDITURES ON SOME JUST AND PRACTICABLE BASIS.

#### *General recommendations.*

Mr. Huneeus proposed as the basis of discussion a number of general recommendations setting forth the desire of the Governments to maintain peace; condemning armed peace; recommending adherence to The Hague Convention of 1907 and similar treaties for the pacific settlement of international disputes and the adoption of measures designed to prevent war, especially those contemplating investigation and examination of international conflicts; recommending that the Governments interested take up with each other at a fitting and opportune time the study of the questions of their respective armaments; recommending adherence to the provisions of the Treaty No. 1 concluded at Washington February 6, 1922, in so far as it provides that (a) no power shall acquire any capital ship in excess of 35,000 tons standard displacement nor any airplane carrier in excess of 27,000 tons, and (b) that no capital ships shall carry a gun more than 16 inches in caliber; recommending adherence to those international conventions limiting military hostilities, fixing the usages of war, rights and duties of neutrals, etc., and also a declaration of the Governments concerned that the provisions of articles 1, 2, 3, 4, and 5 of the Washington treaty (No. 2) of February 6, 1922, relating to the capture, attack, and the destruction of merchant ships and the employment of submarines are an established part of international law; recommending also the prohibition of the use of asphyxiating or poisonous gases and analogous liquid material or devices as indicated by the Washington treaty of February 6, 1922; and, lastly, recommending the restriction of aerial hostilities to legitimate war purposes to assure respect of unprotected populations and cities.

These recommendations were adopted and the resolution of the conference embodying them, together with the statements made by the Argentine and Colombian delegations in respect to them, will be found in the report of the deliberations of the committee made by Mr. Fletcher as chairman and reporting delegate. (See Appendix 56.)

*Global treaty for the establishment of commissions of inquiry.*

During the consideration of these general recommendations the delegate of Paraguay, Mr. Gondra, proposed as an important step toward the limitation of armaments a continental treaty on the lines of the Root and Bryan treaties and of the treaty establishing commissions of inquiry concluded in February, 1923, between the United States of America and the Republics of Central America, providing for the investigation of disputes arising between the American Republics. As originally proposed, this treaty provided for the establishment of commissions of inquiry to undertake the investigation of such disputes and provided, further, that, if it had not been possible to reach a settlement of the dispute following the report of the commission of inquiry, the dispute should be submitted to arbitration, provided it did not affect the sovereignty, honor, vital interests, or constitutional provisions of the parties in dispute or the interests of third parties. The arbitration clause of the proposed treaty failed to meet with approval in the committee, because it seemed to go too far for some States and not far enough for others, and it was therefore omitted.

After thorough consideration a treaty was prepared which was adopted and signed by the participating Governments. It provides that all controversies arising between the American States which it has been impossible to settle through diplomatic channels or to submit to arbitration shall be submitted to a commission of inquiry for investigation and report. It is provided, however, that "in disputes arising between nations which have no general treaties of arbitration the investigation shall not take place in questions affecting constitutional provisions nor in questions already settled by other treaties." (Art. I.)

For the purpose of expediting the convening of the commission of inquiry two permanent commissions are established—in Washington, D. C., and Montevideo, Uruguay—composed of the three American diplomatic agents longest accredited in said capitals. Their functions are limited to receiving the request for the convocation of the commission of inquiry and to notifying the other party thereof immediately. (Art. III.)

Any of the Governments directly interested in the investigation of the facts giving rise to the controversy may apply for the convocation of the commission of inquiry. The commission will be composed of five members, all nationals of American States, appointed as follows: Each Government will appoint two, only one of whom may be a national of its country; the fifth, who will act as president, will be chosen by common accord by those already appointed but may not be a citizen of a nation already represented on the commission. If no agreement can be reached regarding the fifth member, he will be appointed by the President of an American State selected by lot from a list of American executives drawn up by the parties to the dispute. (Arts. II, IV.)

The commission shall render its report within one year from the date of its first meeting, and during this period the parties in dispute are not to begin mobilization or concentration of troops on the frontier of the other party nor to engage in any hostile acts or preparations for hostilities. (Arts. I, V.)



The findings of the commission will be considered as reports and will not have the value or force of judicial decisions or arbitral awards. (Art. VI.)

After the report has been received by the parties to the dispute six months' time will be available for renewed negotiations in order to bring about the settlement of the difficulty; and if during this period no agreement can be reached, the parties in dispute will recover their entire liberty of action to proceed as their interests may dictate. (Art. VII.)

The treaty will remain in force indefinitely; any of the contracting parties may denounce it by giving notification thereof one year in advance. (Art. IX.)

The treaty provides, as do all the treaties signed at the conference, for adherence thereto by those American States not represented at the conference. (Art. X.)

It is noteworthy that this treaty is exclusively American in character, providing a means of settlement of American disputes by Americans.

The full text of the treaty is attached hereto. (Appendix 9.)

*Concrete proposals for limitation of armaments.*

There were presented to the committee a number of concrete proposals for the limitation of armaments, but due to the divergent views of the delegations principally concerned, it was impossible to reach an agreement on this subject at this conference.

*Honduran proposal.*

The delegation of Honduras proposed, in view of the difficulties attending the limitation of land armament, that the conference limit itself to the consideration of the question of limitation of naval armaments and that, inasmuch as Argentina, Brazil, and Chile were the only countries which had developed their naval forces to any considerable extent, these countries should study the technical details of an understanding in order to reach a practical agreement on the subject.

*Chilean proposal.*

The Chilean delegation also proposed the adoption of a convention on the limitation of naval armaments providing for—

1. The limitation of capital ships to a maximum figure of ——— tons during the next five years, that is, until May 1, 1928;
2. The determination of what shall be understood as a capital ship in accordance with chapter 2, part 4, of the treaty of Washington on the Limitation of Naval Armaments;
3. The automatic renewal of the above-mentioned convention for a new period of five years, provided that none of the powers shall have signified, before May 1, 1927, its desire to terminate it;
4. The convocation at that time of a special conference to examine the bases of a new convention on the limitation of naval armament in 1927, should one of the signatory powers have signified its intention to terminate it.

And made the following declaration:

The Government of Chile is disposed to subscribe to agreements regarding limitation of land armament in accord with the same spirit with which it proposes the preceding agreement regarding the limitation of naval armament, and it invites the States participating in this conference at once to determine their respective forces and war material.

*Brazilian declaration.*

In the course of the debate on the Chilean proposal the Brazilian delegation referred at length to the consistently peaceful policy of Brazil and its honorable record in international relations and pointed out that in the attempt to limit land forces by international agreement only one had been successful, viz., the agreement, under the auspices of the United States, of the Central American States, signed February 7, 1923, and that this agreement was only made possible by taking as its base the population, area, extension of frontiers, etc., of the countries concerned. It was maintained that on this basis Brazil had relatively the smallest army of any South American country. Lengthy reference was also made to the efforts toward disarmament made under the auspices of the League of Nations and the position taken by Brazil in those discussions. The difficulties of reaching a single standard of all the American countries was pointed out, and it was maintained that to make a distribution of the tonnage in conformity with the necessities and conditions of each country a detailed study of the situation of each would be necessary, but that such a study did not seem possible at a conference of this character. Inasmuch as the Chilean proposal seemed to refer only to Argentina, Brazil, and Chile, which alone of the South American countries possessed important navies, the Brazilian delegation thought it would be more logical that the matter should be settled by a subsequent understanding between these three countries as proposed by Honduras. In order, however, to make it clear that the Brazilian delegation desired to reach an agreement with respect to naval armament, the delegation stated that its point of view was based upon the following principles:

1. Limitation of the tonnage of capital ships to 80,000 tons for a period of five years.

2. Capital ships to be considered as those of the "dreadnought type" actually existing in South America, and according to the definition of part 4 of article 2 of treaty No. 1, signed at Washington on the 6th of February, 1922, those which after the date of the proposed convention may be constructed or acquired having a displacement greater than 10,000 tons or which may be armed with one or more guns of a caliber greater than 8 inches.

3. The total tonnage fixed for capital ships to include only those ships actually existing of the dreadnought or superdreadnought type, viz, the *Minas Geraes*, *Sao Paulo*, *Moreno*, *Rivadavia*, and *Latorre*.

4. Other existing combat ships which may not be of dreadnought type, viz, battleships, coast guards, and armored cruisers, shall not be retained in service after the acquisition of new capital ships once the limit of 80,000 tons has been reached, in order that the said limit shall not be exceeded. Nevertheless said ships may be utilized for other than war purposes, provided that the rules for scrapping ships of war contained in part 2 of the treaty of Washington No. 1, above cited, shall be applied.

5. The tonnage of other ships of war, whether surface or submarine, and also those intended for coast defense, aviation uses, employment in connection with submarine mines, auxiliary ships, river flotillas, and anything relating to organization of coast defense, shall not be limited.

*Argentine counterproposal.*

The Argentine delegation proposed that there should be limitation of land as well as naval armaments. It supported in principle the Chilean proposal but did not desire a limit to be fixed which would oblige the Argentine Republic to incur additional expendi-



tures, and therefore proposed that the maximum limit of capital ships be fixed at 55,000 tons, which is the present capital-ship tonnage of the Argentine Navy. This delegation also proposed the limitation not only of capital ships but of surface auxiliaries, airplane carriers, and submarines, and as a basis of discussion suggested 60,000 tons for auxiliary surface craft, 25,000 tons for airplane carriers, and 15,000 tons for submarines. The delegation also referred to the condition of its land forces and war material, showing that they were practically the same as in 1911.

*Second Chilean proposal.*

As a consequence of the statements made by the Brazilian and Argentine Delegations the Chilean Delegation made another proposal as follows:

1. There is recommended to the Governments composing the Pan American Union a convention limiting the tonnage of their capital ships to 66,000 tons during the five years following ratification of the convention and to 90,000 tons during the succeeding five years.

The convention will remain in force five additional years as regards the capital ships of every signatory State that shall not have declared otherwise two years previous to the termination of the first five-year period, and will remain in force for the same five years with respect to auxiliary ships for every State that shall not have declared otherwise one year previous to the termination of the first five-year period.

2. The determination of what constitutes capital ships and determinations as to the caliber of cannon, life, destruction, and replacement of such ships shall be in accordance with the provisions of the treaty of Washington of February 6, 1922.

3. The convention will limit during five years the tonnage of auxiliary ships to the following maximums: Cruisers, flotilla leaders, airplane carriers, and destroyers to (an aggregate of) 85,000 tons, and submarines to (an aggregate of) 15,000 tons.

The convention will limit during the five succeeding years the maximum tonnage of these classes of ships to that established by this clause increased by one-third as regards each class.

The life of each class of vessel is counted as of the following duration from the date of completion: 17 years for cruisers, 12 years for flotilla leaders and destroyers, 20 years for airplane carriers, and 12 years for submarines. Cannon carried by the vessels coming under this clause shall not exceed 8 inches in caliber.

4. The monitors now in existence are not considered as comprised within the vessels that are to be limited as to tonnage by this convention, nor are the unprotected vessels so comprised, nor are those vessels comprised that are of less than 3,000 tons and that come within the description given in Paragraph XVI of the proposal presented by the United States of America on November 13, 1921.

5. This convention is to be effective when ratified by more than three countries, but among these countries Argentina, Brazil, and Chile must be included.

A brief discussion of the second Chilean proposal revealed that it would be impossible for the committee to reach a satisfactory conclusion.

While, therefore, no tangible result was accomplished in the matter of limitation and reduction of military expenditures at the conference, it is believed, nevertheless, that the friendly discussion of the subject has served a useful purpose. The question has engaged the earnest attention of the Governments interested, and there seems to be ground for hope that, notwithstanding the inherent difficulties, a satisfactory formula may be found. The Chilean delegation at the

close of the conference formally announced its willingness to accept any limitation of naval armaments satisfactory to Argentina and Brazil.

## EDUCATION COMMITTEE.

(No. 8.)

The education committee, on which the United States was represented by Messrs. Rowe and Vincent, dealt with Topics XIII and XVII and with that part of Topic I relating to the protection of literary and artistic property. Mr. Dominici (Venezuela) was elected president and Mr. Marquez Sterling (Cuba) designated ponente.

### TOPIC XIII.

#### CONSIDERATION OF STANDARDIZING OF UNIVERSITY CURRICULA AND MUTUAL RECOGNITION OF THE VALIDITY OF PROFESSIONAL DEGREES AMONG THE AMERICAN REPUBLICS.

In the consideration of this subject the delegation of the United States, by reason of the fact that the determination of the curricula of institutions of higher education and the question of the recognition of professional degrees are not Federal matters, stated that it was impossible for them to enter into any binding agreements regarding these matters.

The committee, after considerable discussion of the subject, reached the conclusion that it would be desirable to entrust the detailed consideration of these matters to a special conference of experts, and with this end in view a resolution was adopted providing for the convening of a Pan American University Conference, to be held at Santiago, Chile, in 1925. To this conference will be entrusted the formulation of measures tending to bring about greater uniformity in secondary and university education, and also the study of the best means of regulating the recognition of professional degrees. The resolution also entrusted to the educational section of the Pan American Union the duty of encouraging in every possible way the interchange of university professors and the interchange of educational information.

At the suggestion of the Argentine delegation the committee passed a resolution intended to encourage vocational training in the American Republics.

The committee, at the suggestion of the Uruguayan delegation, adopted a further resolution recommending to the Governments of the American Republics the desirability of encouraging the formation and development of students' organizations and the fostering of close relations between such organizations in the Republics of the American Continent.

At the suggestion of the delegation of El Salvador, the committee adopted a resolution intended to foster civic education in the Republics of America.

The full text of these resolutions will be found in Appendices 57-60.



## TOPIC XVII.

THE FORMULATION OF A PLAN BY WHICH, WITH THE APPROVAL OF THE SCHOLARS AND INVESTIGATORS IN THE SEVERAL COUNTRIES, APPROXIMATELY UNIFORM MEANS MAY BE USED BY THE GOVERNMENTS OF THE AMERICAS FOR THE PROTECTION OF THOSE ARCHÆOLOGICAL AND OTHER RECORDS NEEDED IN THE CONSTRUCTION OF AN ADEQUATE AMERICAN HISTORY.

The purpose which the committee had in view in the discussion of this question was to bring about cooperative action between the Republics of the American Continent, with a view to preserving archæological remains and all other data designed to furnish material for the history of the nations of America, and especially of the primitive peoples.

The most important conclusions reached and finally embodied in the resolution unanimously adopted by the conference embrace the following points:

1. Definite recommendations to the Republics of the American Continent relative to the preservation of their archæological remains.
2. Formulation of a plan under which cooperation between the American Republics in the development of a uniform system for the preservation of archæological remains may be assured.
3. Provision for the cooperation of scientific organizations, especially the International Congress of Americanists.
4. Provision for the establishment of two archæological institutes, one in the region of Mexico and Central America and the other in the Ecuadorean-Peruvian region.

The full text of this resolution will be found in Appendix 61.

## TOPIC I.

## LITERARY AND ARTISTIC COPYRIGHT.

Topic I of the program of the conference contemplated a review of the action of the Governments of America on the conventions and resolutions adopted at prior conferences, with special reference to the Convention concerning Trade-Marks and the Convention on Literary and Artistic Copyright, signed at Buenos Aires August 20, 1910.

The Convention on Literary and Artistic Copyright signed at the Fourth International Conference of American States has been ratified by the following countries: Brazil, Costa Rica, Dominican Republic, Ecuador, Guatemala, Haiti, Honduras, Nicaragua, Panama, Paraguay, Peru, United States, and Uruguay. The following countries have failed to take action: Argentina, Bolivia, Chile, Colombia, Cuba, Mexico, Salvador, and Venezuela.

The delegation of the United States presented to the committee a resolution inviting the Governments which had not ratified the convention to do so, and furthermore recommending to the Governments of all the American States that the necessary steps be taken for the registering of the rights of authors in each country and that such registration be given adequate publicity in order that merchants and other interested persons may know that such works are under the protection of the convention. It was furthermore proposed therein that in each of the countries of the American Continent an effective legal procedure be adopted to guarantee adequate

redress to the owner of a copyright in case of infringement of such rights and that necessary measures to prevent the importation and sale of unauthorized editions be adopted.

In the course of the discussion the representatives of a number of the countries which have not ratified the convention expressed the opinion that as their Governments had refused to ratify the convention and that as 13 years had elapsed since its adoption at the Buenos Aires conference it would be futile to recommend the ratification of the convention at this time.

These matters were all made the subject of prolonged discussion, and the committee finally agreed upon a resolution, which was subsequently adopted by the conference, recommending to the States of the American Continent that they incorporate in their local legislation the protective measures proposed by the delegation of the United States.

The full text of this resolution will be found in Appendix 62.

### GOVERNING COMMITTEE.

This committee, upon which the United States was represented by Mr. Fletcher, chairman of the delegation, and of which Mr. Edwards, chairman of the Chilean delegation and president of the conference, was elected president, dealt with Topics I (in part) and XIX of the program.

#### TOPIC I (IN PART).

CONSIDERATION OF THE ACTION TAKEN BY THE PARTICIPATING COUNTRIES AND OF THE APPLICATION IN EACH COUNTRY OF THE CONVENTIONS AND RESOLUTIONS OF PREVIOUS PAN AMERICAN CONFERENCES.

#### TOPIC XIX.

##### FUTURE CONFERENCES.

In addition to the consideration of the above topics the committee acted as a committee on "initiative and drafting"; that is, it examined all new proposals and determined whether they fell within any topic of the program or not. If included in the program, the subject was automatically referred to the appropriate committee; if not and if approved, it was referred to the conference, which under the rules could consider new questions by a vote of two-thirds.

The work of this committee greatly facilitated the labors of the conference. As each delegation was represented on it, it was at all times possible to explore informally the opinion of the various delegations on all matters connected with the conference, and much time was thereby saved. It acted as the directing and supervising body of the conference and as a reporting committee as well.

The subjects reported by this committee to the conference and acted upon favorably by it were as follows:

1. Additions to the regulations of the conference relating to the work of the various committees.
2. Resolution proposed by the delegation of the United States of America indorsing the proposed Pan American Conference of Red Cross Societies.



3. Resolution proposed by the delegation of Uruguay recommending support of the movement to erect monuments in Buenos Aires and Rio de Janeiro in honor of Roque Saenz Peña and Ruy Barbosa, and amended by the delegation of the Dominican Republic to include the erection of a monument in Montevideo to Gonzalo Ramirez.

4. Resolution, proposed by the delegations of Guatemala and Nicaragua, looking toward the establishment of libraries of Pan American literature, etc.

5. Resolution, proposed by the delegation of Guatemala, recommending the inclusion in the program of future Pan American conferences of a topic referring to the rights of women.

6. Resolution, proposed by the delegation of the United States of America, approving The Hague Opium Convention and urging its ratification and the enactment of appropriate legislation by the American States which have not yet ratified it.

7. Compilation of the reports of the various delegations concerning the action taken by the participating countries, and the application in each country of the conventions and resolutions of previous Pan American conferences (Topic I of the program, in part), and recommendations that the American Governments proceed to the revision and study of the resolutions adopted by the four previous conferences and inform the Pan American Union with respect to the reasons for the nonexecution of such as have not been enforced.

8. Resolution, proposed by the delegation of the Dominican Republic, recommending the erection of a memorial lighthouse at Santo Domingo in honor of Christopher Columbus.

9. Resolution, proposed by the delegation of Chile, with reference to social problems, and recommending their inclusion in the program of future conferences.

10. Resolution, proposed by the delegation of Chile, recommending a decennial census of the American States.

11. Resolution, proposed by the delegation of Guatemala, recommending the erection in the city of Panama of a statue in honor of Simon Bolivar.

12. Resolution, proposed by the delegation of the Argentine Republic, expressing appreciation of the humanitarian services of Andrew Carnegie and recommending that a bust of him be placed in the building of the Pan American Union.

13. Resolution, proposed by the delegation of Panama, recommending the representation of all the American Governments at the inauguration in Panama of the monument to Vasco Nuñez de Balboa.

14. Resolution, proposed by the delegation of the United States of America, recommending that a Pan American press conference be held in the United States of America under the auspices of the Pan American Union.

15. Resolution, proposed by the delegation of Paraguay, recommending the erection of a monument in Washington in honor of Henry Clay.

The texts of the above resolutions appear in full in Appendices 63 to 77.

#### FUTURE CONFERENCES.

The governing committee unanimously recommended, and the conference decided, that the Sixth International Conference of American States should be held at Habana, Cuba, within the shortest possible time, and, in any case, within five years from the date of the closing session of the Fifth Conference. (See Appendix 78.)

#### CONCLUSION.

While the delegation prepared and distributed to the members of the respective committees copies in English and in Spanish of its proposals or important statements, it experienced much difficulty from the fact that practically all reports, etc., of other delegations were presented in their respective languages, without extra copies for the use of the delegates, without English translation thereof, and

little or no provision was made for the official translation or interpretation of such documents or of the remarks made during the debates in committee. In view of this we recommend that the governing board of the Pan American Union in preparing the rules of the next conference make provision that the regulations relative to translation and interpretation of the proceedings of the plenary sessions be made applicable to the proceedings of the respective committees, and that steps be taken to secure an efficient staff of interpreters and translators for service in the secretariat general to perform the additional work involved in this suggestion. The delegation reserved the right to revise and correct the English text of all proceedings, resolutions, etc., adopted by the conference. As the main work of future conferences will probably be done in committee, it is also suggested that the rules and regulations be amended to require that all proposals, when presented, shall be immediately available in Spanish and English for distribution to the committee. This will save time, much of which was lost in this conference in waiting for copies and translations of reports.

The conference ended May 3, 1923. After adjournment the delegates were received at the Moneda Palace by the President of Chile.

The conference held 16 plenary sessions, approved and signed 4 conventions, and adopted 73 resolutions, English texts of which appear in the appendix. The full minutes of the plenary sessions and of the meetings of the principal committees will be prepared by the Chilean Government in the four languages for distribution to the participating Governments, and will be available for reference in due course.

The delegation left Santiago for Buenos Aires on May 6, 1923, sailing from Buenos Aires by *S. S. Western World*, May 10, arriving at New York May 28.

The delegation desires to record its appreciation of the gracious hospitality with which it was received during its sojourn in Santiago and especially the courteous attentions of President Alessandri, Mr. Luis Izquierdo, minister of foreign affairs, and other members of the Chilean Government, and the Congress of Chile.

The Argentine and Chilean Governments very kindly put at the disposal of our delegation a special train to convey us from Santiago to Buenos Aires, and every effort was made for our comfort and convenience during the journey.

En route to and from the conference the delegation was received by the Presidents of Panama, Peru, Argentina, and Uruguay and were entertained by the ministers of foreign affairs of Peru, Uruguay, and Brazil.

We wish also to record our appreciation of the assistance and attentions of United States Ambassadors Collier, Riddle, Morgan, Ministers South and Philip, and Chargé d'Affaires Sterling.

The delegation was most fortunate in having as technical assistants Messrs. G. A. Sherwell, E. F. Feely, and R. H. Ackerman, of the Department of Commerce; Maj. F. E. McCammon, of the United States Army; and Dr. J. D. Long, of the Public Health Service, all of whom rendered invaluable service. Capt. W. R. Sayles, of the United States Navy, was also detailed to assist the



delegation, but due to his illness the delegation was deprived of his services after the first few days of the conference.

The secretarial work of the delegation was excellently done under the direction of Mr. J. Butler Wright, assisted by Messrs. E. C. Wilson and Cord Meyer, of the United States Diplomatic Service, and a very competent and willing corps of clerks and stenographers, to all of whom the delegation desires to express its cordial thanks and appreciation.

Respectfully submitted.

(Signed)

HENRY P. FLETCHER.  
FRANK B. KELLOGG.  
ATLEE POMERENE.  
WILLARD SAULSBURY.  
FRANK C. PARTRIDGE.  
GEORGE E. VINCENT.  
WM. ERIC FOWLER.  
L. S. ROWE.

The Honorable CHARLES EVANS HUGHES,  
*Secretary of State.*

*Washington, May 31, 1923.*





#### PERSONNEL OF UNITED STATES DELEGATION.

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Honorable HENRY P. FLETCHER, *Chairman*.

Honorable FRANK B. KELLOGG.

Honorable ATLEE POMERENE.

Honorable WILLARD SAULSBURY.

Honorable FRANK C. PARTRIDGE.

Honorable GEORGE E. VINCENT.

Honorable WM. ERIC FOWLER.

Honorable L. S. ROWE.

*Secretary of the delegation:* Honorable J. BUTLER WRIGHT.

*Assistant secretaries:* Mr. EDWIN C. WILSON, Mr. CORD MEYER.

*Special assistant and disbursing officer:* Miss MARGARET M. HANNA.

*Technical assistants:* Mr. G. A. SHERWELL, Mr. E. F. FEELY,

Mr. R. H. ACKERMAN, Dr. J. D. LONG, Capt. W. R. SAYLES, U. S. N.,  
and Maj. F. E. McCAMMON, U. S. A.



## PROGRAM OF THE FIFTH INTERNATIONAL CONFERENCE OF AMERICAN STATES.

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### I.

Consideration of the action taken by the participating countries, and of the application in each country of the conventions and resolutions of previous Pan American Conferences, with special reference to the convention concerning trade-marks, and the convention on literary and artistic copyright, signed at Buenos Aires, August 20, 1910.

### II.

Organization of the Pan American Union on the basis of a convention, in accordance with the resolution adopted by the Fourth Pan American Conference at Buenos Aires, August 11, 1910.

### III.

Consideration of the results accomplished by the Congress of Jurists which met at Rio de Janeiro with respect to the codification of international law.

### IV.

Measures designed to prevent the propagation of infectious diseases, with special reference to the recommendations of the International Sanitary Conferences.

### V.

Pan American agreement on the laws and regulations concerning, and cooperation in the improvement of the facilities of, communication on ocean and land and in the air.

1. Improvement of ocean transportation facilities.
2. The Inter-Continental Railroad and motor transportation.
3. Policy, laws, and regulations concerning commercial aircraft; the advisability of an international technical commission on the location of standard landing places, the determination of aerial routes and the formulation of special customs procedure for aircraft.
4. Cooperation of the Governments of the American Republics in reference to all kinds of wireless communication in America; and by means of agreements for its regulation.

### VI.

Cooperation with respect to the supervision of merchandise entering into international commerce.

1. The uniformity of customs regulations and procedure.
2. The uniformity of shipping and insurance documentation.



3. The uniformity of principles and interpretation of maritime law.

4. The uniformity of nomenclature for the classification of merchandise.

5. Uniform parcel-post procedure and consideration of the Pan American Parcel Post Convention.

6. Advisability of adopting conventions in order to make effective Resolution XVII, voted by the Second Pan American Financial Congress, which assembled at Washington in January, 1920.<sup>1</sup>

## VII.

Measures for the simplification of passports and adoption of standard form.

## VIII.

Cooperation in the study of agricultural problems. Uniformity of agricultural statistics. Cooperation in the elimination of diseases of cattle. Organized effort for interchange of useful plants and seeds.

## IX.

Consideration of measures tending toward closer association of the Republics of the American Continent with a view to promoting common interests.

## X.

Consideration of the best means to give wider application to the principle of the judicial or arbitral settlement of disputes between the Republics of the American Continent.

## XI.

Consideration of the best means to promote the arbitration of commercial disputes between nationals of different countries.

## XII.

Consideration of the reduction and limitation of military and naval expenditures on some just and practicable basis.

## XIII.

Consideration of standardizing of university curricula and mutual recognition of the validity of professional degrees among the American Republics.

## XIV.

Consideration of the rights of aliens resident within the jurisdiction of any of the American Republics.

<sup>1</sup> The resolution referred to above is the following:

"RESOLUTION XVII. *Resolved*, That, it being in the interest of all nations that there should be the widest possible distribution of raw materials, the importation of such materials into any country should not be prevented by prohibitive duties."

XV.

Consideration of the status of children of foreigners born within the jurisdiction of any of the American Republics.

XVI.

Consideration of the questions arising out of an encroachment by a non-American power on the rights of an American nation.

XVII.

The formulation of a plan by which, with the approval of the scholars and investigators in the several countries, approximately uniform means may be used by the Governments of the Americas for the protection of those archæological and other records needed in the construction of an adequate American history.

XVIII.

Consideration of measures adapted to secure the progressive diminution in the consumption of alcoholic beverages.

XIX.

Future conferences.

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